

Notice is hereby given by the Mayor and Town Council of the Borough of Chambersburg, Franklin County, Pennsylvania that Town Council will consider a proposed Ordinance for adoption at the regularly scheduled public meeting of the Town Council of the Borough of Chambersburg on September 8, 2014, at 7:00 p.m.

ORDINANCE NO. 2014-__

AN ORDINANCE OF THE BOROUGH OF CHAMBERSBURG, AMENDING THE CODE OF THE BOROUGH OF CHAMBERSBURG, CHAPTER 135, ELECTRIC STANDARDS

BE IT ORDAINED BY THE BOROUGH OF CHAMBERSBURG AND IT HEREBY IS ORDAINED BY AUTHORITY OF THE SAME AS FOLLOWS:

WHEREAS, the Borough of Chambersburg desires to amend Chapter 135 of the Code of the Borough of Chambersburg entitled "Electric Standards" in its entirety; and

WHEREAS, the Council of the Borough of Chambersburg deems it in the best interest, and for the general welfare of the citizens and residents of the Borough to amend Chapter 135 of the Code of the Borough of Chambersburg in its entirety.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOROUGH OF CHAMBERSBURG AND IT HEREBY IS ORDAINED BY AUTHORITY OF THE SAME AS FOLLOWS:

SECTION 1: Chapter 135 of the Code of the Borough of Chambersburg entitled "Electric Standards" is amended in its entirety and shall read as follows:

Chapter 135. ELECTRIC STANDARDS

GENERAL REFERENCES

Building construction — See Ch. 113.

Fire prevention — See Ch. 150.

Article I. Electricians

§ 135-1. Definitions.

For the purpose of this article, the following words and terms shall have the meanings hereinafter ascribed to them:

BOARD

The Electricians' Examining Board of the Borough of Chambersburg as hereinafter established.

BOROUGH

The Mayor and Town Council of the Borough of Chambersburg, commonly known as the "Borough of Chambersburg" and/or its duly authorized representative acting in its behalf.

ELECTRICAL WORK

The act of installing, repairing, or removing any electric wiring, electric wiring device(s), or electric appliance(s), as the same are defined herein. This shall not include the direct, in-kind replacement of existing receptacles, switches, light fixtures, etc. as long as such replacement does not alter the current carrying ability of the device(s) and/or add load to a circuit.

ELECTRIC APPLIANCE

Any electric current-consuming equipment, fixed or portable, using, or intended to use in its operation or control, electric energy at a potential in excess of 50 volts, excepting such portable devices supplied through flexible cords equipped as the same is defined herein.

ELECTRICIAN

Any person performing or assisting in the performance of electrical work as defined above.

ELECTRIC WIRING

Electric conductors of any kind carrying or intended to carry electricity at a potential in excess of 50 volts.

ELECTRIC WIRING DEVICE

Any unit of an electric system which is intended to carry or control, but not consume, electric energy or to enclose, protect, or directly support any such unit(s).

MASTER ELECTRICIAN

An electrician, as defined above, licensed by the Borough as hereinafter provided, who is responsible for the performance of and/or supervision and direction of others in the performance of electrical work as defined above.

PERSON

Any individual, firm, corporation, association, partnership, limited liability company, trust, entity or company.

REGULATED ELECTRICAL WORK

The act of installing any electric wiring or electric appliance(s) included in the following schedule:

- A. Electric wiring in any new structure or building or part thereof.
- B. Electric wiring or appliance(s) which will require any change in the Borough's electric service or metering equipment for any reason.
- C. Electric wiring or appliance(s) of any of the following types, or electric wiring intended to serve any such appliance(s):
 - (1) New or modified electric service entrance, metering, and/or distribution panel equipment.

- (2) Temporary services.
 - (3) Electric wiring or equipment of any kind installed under any of the conditions listed in the National Electric Code under the heading "Hazardous Locations."
 - (4) Installation of more than 4 KW of additional electric heat load.
 - (5) New installation or upgrade of all heat pump and air-conditioning systems.
 - (6) New installation or upgrade of electric water heaters.
 - (7) Installation of motors totaling 5 hp or greater, or greater than or equal to 5 kW of load.
- D. The installation, alteration or repair of generation, transmission, distribution, metering or other related equipment that is, by established right, under the ownership and control of public service agencies are excluded from the terms of the above definitions

TOWN COUNCIL

The Town Council of the Borough of Chambersburg.

§ 135-2. License required.

No person not licensed as a master electrician by the Borough of Chambersburg, as hereinafter provided, shall do any electrical work within the corporate limits of the Borough, except that the work of a person working under the immediate supervision of such a licensed master electrician, and actually employed by him or by the master electrician's employer, shall be deemed to be the work of the master electrician, and the master electrician shall be responsible for the work of such person. Under no circumstances shall any electrician assume responsibility for electrical work done by any other person except as provided above.

§ 135-3. Licensing procedure.

- A. Any person who shall desire to obtain a license as a master electrician shall apply in writing to the Director of Utilities of the Borough of Chambersburg on a form to be provided for that purpose, furnishing all information required thereon, and shall pay an application fee in accordance with the schedule.
- B. Such application shall thereupon be referred to the Electricians' Examining Board for consideration. If the Electricians' Examining Board, as hereinafter constituted, shall, after consideration of the electrical wiring training, experience (minimum of four years or two years experience with two years training from an accredited school), and integrity of the applicant, deem such applicant to be qualified for examination, the applicant shall be examined by the Board as to his skill and knowledge of the requirements of the trade of master electrician. If, by such examination, the applicant evidences to the satisfaction of the Board that he is competent to practice the electrician's trade, he shall be granted a license as a master electrician and shall be entitled to practice the trade of master electrician in the Borough of Chambersburg and shall be subject to all of the privileges, responsibilities and duties which have been and which may hereafter be established for such licensees by the Borough of Chambersburg.

- (1) Except as provided hereinafter, the license of a master electrician shall be valid during the lifetime of the holder thereof unless sooner suspended or revoked, subject to annual registration as hereinafter required.
- (2) If an applicant shall fail to pass the qualifying examination he may upon request be re-examined at a later regular examination (but not sooner than six months) upon payment of a fee in accordance with fee schedule for each such re-examination.
- (3) No additional fee shall be required for the issuance of a license to a successful candidate and for registration for the balance of the then-current year. If the Board in its discretion does not accept an applicant for examination, the fee paid by the applicant shall be returned to him. All sums received from electrician's license, examination and registration fees shall be credited to the general receipts of the Electric Department of the Borough.

§ 135-4. RESERVED.

§135-5. Special licenses.

A special license may be issued to perform and/or supervise and direct the electrical work involved in a single specified contract job to any person who shall furnish evidence satisfactory to the Electricians' Examining Board of his skill, experience, training, and current active practice as an electrician, as indicated by a license issued by another municipality or other evidence of comparable achievement, upon payment of a fee according to the fee schedule. Each such special license shall designate the work for which it was issued and shall become void upon the completion of said work. Such special license may be suspended or revoked for cause. A special license may also be issued as provided in § **135-9** hereof.

§ 135-6. Limited licenses.

- A. Plant license. A firm or other establishment ("employer") which employs on a full-time basis a person competent to perform routine electrical work within its own plant may request in writing that said employee be issued a limited license as master electrician, and the Electricians' Examining Board may, at its discretion, issue said limited license, under such terms as it may prescribe, upon payment of a fee according to the fee schedule. An examination may be required by the Board to determine the competence of the applicant. Said limited license shall entitle the holder thereof to perform and/or supervise and direct electrical work on the premises of his employer, and not elsewhere, as long as he remains a full-time employee of said employer, and said license shall become void upon termination of said employment. Such limited license shall not authorize the holder thereof to supervise or assume responsibility for electrical work performed by any person not a bona fide employee of said employer.
- B. Electric water heater (EWH) license. The EWH license shall be issued to a Borough of Chambersburg master plumber for the purpose of connecting an electric storage-type water heater to a building's electric wiring, which does not add additional load

to the electric system. This license shall not entitle the licensee to perform any electric work other than specified herein. The master plumber must successfully pass an examination on installation of electric water heaters before receiving his EWH license.

§ 135-7. Registration; revocation or suspension of license.

- A. Each licensed master electrician, including each holder of a limited license, shall be subject to registration on a calendar-year basis. Each licensee wishing to continue in the practice of his trade as an electrician shall, prior to the first day of January of each year, apply at the office of the Director of Utilities for the registration of his license for the ensuing calendar year and shall pay a fee in accordance with the fee schedule. Any electrician whose license has not been properly re-registered shall be considered as an unlicensed person. Any licensee changing the address of his place of business shall notify the office of the Director of Utilities promptly of such change. A registry shall be kept by the Director of Utilities of all persons holding licenses as master electricians which shall indicate the address and the current status of the registration of the holder thereof.
- B. The license of a master electrician may be revoked or suspended for cause by the Electricians' Examining Board, subject to the right of appeal to Town Council.

§ 135-8. Certification. Each licensee, other than those to whom a special license has been issued, shall be issued a permanent certificate showing that he has been granted a license as a master electrician by the Borough of Chambersburg and an annually renewed pocket card showing that his license is registered for the current year. Such new card shall be issued each year to each licensee upon payment of the fee aforesaid. An electrician may allow his license to lapse for a period no longer than five years and during the same period request the re-registration thereof upon payment of the required fee without penalty or examination, provided that he does not practice his trade within the terms of this article during the time his license has lapsed. After the five years have elapsed, the applicant must be re-examined as a new applicant.

§ 135-9. Special license for continuation of business.

In the event that a registered master electrician shall die or become incapacitated, the Electricians' Examining Board may, in its discretion, issue a special license to a qualified representative of the business enterprise associated with said electrician authorizing the business to continue operating thereof for a period not longer than 12 months.

§ 135-10. Standards for electrical work; inspections.

- A. Adoption of code. The edition of the National Electrical Code as incorporated into the Pennsylvania Uniform Construction Code as that Code and the Pennsylvania Department of Labor and Industry regulations issued thereunder are revised and updated from time-to-time, copies of which are on file in the office of the Borough Secretary, is hereby adopted as the Electrical Code of the Borough of

Chambersburg, Commonwealth of Pennsylvania, for the regulation of all matters concerning electrical work as therein provided. No electrical work shall be installed or approved which does not meet and/or conform to or exceed the requirements thereof.

- B. A master electrician holding an active license, as herein defined, must obtain a Permit to do Regulated Electric Work for any regulated electrical work to be completed prior to commencing the work. Permit applications can be obtained at the Borough Service Center at 80 South Franklin Street or on the Borough's website at www.chambersburgpa.gov. The fully completed application shall be submitted at the Service Center.
- C. All regulated electrical work shall be inspected within 7 days after completion for conformity with the code by a qualified representative of a Borough-approved, industry-recognized inspection agency. The Borough of Chambersburg is not responsible for inspection or fees.
- D. No newly wired premises shall be connected to the electrical system within the Borough until such installation has been approved by an authorized inspection agency.
- E. Continued failure on the part of an electrician to rectify defects in his work which have been reported as violations of the code by an approved inspector shall constitute a violation of these rules and regulations.
- F. Nothing contained within this Article I of Chapter 135 shall rescind any separate regulations, primarily located in Chapter 113 of this Code, referring to the implementation and enforcement of the stipulations set forth in the incorporated Pennsylvania Uniform Construction Code. Under certain circumstances permits and inspections may be required pursuant to provisions of the Pennsylvania Uniform Construction Code. Inquiry concerning application of that Code to the proposed electrical work should be referred to Commonwealth Code Inspection Service at 1102 Sheller Avenue, Chambersburg, Pennsylvania, or by telephone at 717-262-0081.

§ 135-11. Electricians' Examining Board.

- A. There is hereby constituted an Electricians' Examining Board whose duty it shall be to examine applicants for licensure by the Borough as master electricians and to certify the names of those applicants who qualify for such licensure as hereinbefore provided and to perform such other duties as are herein prescribed. Such Board shall be composed of five members who shall serve without compensation, appointed by Town Council at the organization meeting of Town Council in January every even year, who shall serve until the next organization meeting or until their successors are appointed unless sooner removed by action of Town Council. All vacancies in the Board shall be filled by motion passed by Town Council. The Electricians' Examining Board shall exercise general oversight over the interpretation, administration and enforcement of these rules and regulations and may submit recommendations to the Town Council for action relating thereto.
- B. The Board shall establish such reasonable minimum requirements of training and experience for applicants for licensure as it may deem proper. The Board shall elect

from among its members a Chairman and a Secretary who shall perform the duties usually associated with such offices. Proper records of all formal actions of the Board shall be kept by the Secretary.

- C. The Electricians' Examining Board shall meet during the first month of each semiannual calendar period to review examination results of previously approved candidates for examinations conducted the prior month. Notice of the time and place of the examination shall be given to each applicant at least seven days prior to the date of the examination. The Chairman of the Electricians' Examining Board may call such special meetings of the Board as he may deem proper, giving not less than 24 hours' notice to all members.

§ 135-12. Bonding.

- A. Each master electrician shall obtain and maintain a performance and surety bond in the amount of \$10,000 with an acceptable bonding company. Revocation or cancellation of the bond shall disqualify a master electrician from performing wiring under his license until such time as it is reinstated or another bond is obtained.

§ 135-13. Violations and penalties.

- A. Any person who shall violate any provision of these rules and regulations shall upon conviction thereof, be sentenced to pay a fine of not more than \$300, and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than 30 days. In case of continued violation each day the violation continues may constitute a separate violation.
- B. The conviction of a master electrician of any violation of these rules and regulations shall be cause for suspension or revocation of said electrician's license by the Electricians' Examining Board. A suspended or revoked license may be reinstated by the Electricians' Examining Board at its discretion under such terms as it may determine.
- C. Property owners will be responsible for fees from any inspections that result in a code violation.

Article II. Electric Rates

Editor's Note: The provisions of this Chapter 135, Article II (Electric Rates) are authorized pursuant to Section 24A03(a)(2) of the Borough Code, Act No. 37 of 2014, enacted April 18, 2014:

“§ 24A03. Specific powers.

(a) Specific powers enumerated.--In addition to exercising its general powers under section 24A02 (relating to general powers), a borough, through its governing body, shall have the following powers:

(2) To regulate the use of and the charge for electricity furnished by the borough for use throughout the borough. A borough may fix, establish, maintain and collect or authorize by contract or otherwise the establishment, levying and collection of the rates, fees, rental or other charges, including connection charges, for the services afforded by or in connection with any properties which the borough constructs, erects, owns, acquires, operates or manages and for the sale or transmission of electric energy and power as it deems necessary, proper, desirable and reasonable.” (8 Pa.C.S. § 24A03 (a)(2)).

§ 135-14. Definitions.

For the purpose of this article, the following words and terms shall have the meanings ascribed to them:

BILLING DEMAND

The highest averaged metered rate of use of electric energy for any fifteen-minute interval in the billing period expressed in whole kilowatts (except as otherwise defined in the Primary Rate (251) and High-Voltage Service, Schedule HV (252, 291)).

BILLING PERIOD

The interval of time between two successive bills; under normal conditions, it will be approximately 30 days.

BOROUGH

The Mayor and Town Council of the Borough of Chambersburg, commonly known as the "Borough of Chambersburg" and/or its duly authorized representative acting in its behalf.

COMMERCIAL OR INDUSTRIAL ESTABLISHMENT

Any business, commercial or professional undertaking functioning independently of other undertakings, whether located upon a separate parcel of land or upon the same parcel of land or within the same building or structure with other establishments.

DWELLING UNIT

A separate dwelling unit, apartment, room or group of rooms used for separate dwelling purposes and equipped for the preparation of food. In all cases, the determination of the Borough as to what constitutes a separate dwelling unit shall be final.

INTERVAL METERING

A time based electric metering arrangement that measures energy, billing demand, and other power consumption components, usually with the metering time intervals set to 15-minutes and can be set up to one-hour depending on the rate schedule.

NATIONAL HOLIDAY

The following holidays on the date recognized by the federal government: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas.

PERSON

Any individual, firm, corporation, association or company.

RESIDENTIAL PREMISES

Premises which are used solely for dwelling purposes and other normal residential activity. Residential premises with publicly advertised commercial operations shall be considered commercial establishments.

USER

Any person as defined above owning any property served with electricity from the electric distribution system of the Borough. The user may designate that any person occupying his property receive the bills for electric power service to that property.

§ 135-15. Rates.

A. Domestic rate (201), domestic heating rate (218).

- (1) Availability. The domestic rate shall be available for usual domestic purposes in residential premises only. The domestic heating rate shall be available only to such premises that use electric heat as their primary source of heating.
- (2) Rates. The following rates shall be charged for electric energy furnished under domestic rate:
 - (a) Customer charge: \$6.40 net per meter, per billing period.
 - (b) Energy charge: all kilowatt-hours per billing period per kilowatt-hour. Net: \$0.09450 (201) and \$0.09250 (218).
 - (c) Power supply adjustment charge: in accordance with § **135-16** of this article.

B. Domestic water heating rate (211), commercial water heating rate (212).

- (1) Availability. The water heating rate shall be available for energy furnished for electric water-heating purposes subject to the following restrictions:
 - (a) Service under the rate shall be available only to storage-type water heaters of not less than 52 gallons or more than six kilowatts.
 - (b) Each water heater shall conform to all Borough plumbing codes.
 - (c) Service shall be rendered at single-phase 208 or 240 volts, as available, through a separate meter, and no other energy-consuming devices shall be supplied through the meter.
- (2) Rates. The following rates shall be charged for electric energy furnished under the water heating rate:
 - (a) Customer charge: \$3.00 net per meter, per billing period.
 - (b) Energy charge: all kilowatt-hours per billing period per kilowatt-hour. Net: \$0.08900.
 - (c) Power supply adjustment charge: in accordance with § **135-16** of this article.

C. Secondary power rate (221), with demand (225); commercial heating rate (231), with demand (235); Borough use (282), with demand (285).

- (1) Availability. The secondary power rate shall be available to any customer for general use that does not qualify for other rates. Secondary rates shall be provided at voltages less than 4,000 volts. The commercial heating rate shall be available to any customer that would otherwise qualify for the secondary power rate which

utilizes electric powered heat as their primary source of heating. The Borough use rate shall be used for any secondary power services maintained by the Borough.

- (2) Rates. The following rates shall be charged for electric use under the secondary power rate:

- (a) Customer charge: \$15 net per meter, per billing period.
- (b) Demand charge (229, 239, 289)

	Net
First 20 kilowatts	No charge
All over 20 kilowatts per kilowatt billing demand	\$9.50

- (c) Energy charge:

	Rate	Net
First 7,000 kilowatt-hours per kilowatt-hour each billing period	225, 285 235	\$0.09350 \$0.09150
All kilowatt-hours over 7,000 kilowatt-hours per kilowatt-hour each billing period	225, 285 235	\$0.06630 \$0.06430
If not demand metered, all kilowatt-hours per kilowatt-hour each billing period	221, 282 231	\$0.08950 \$0.08750

- (d) Power supply adjustment charge: in accordance with § **135-16** of this article.

D. Primary power rate (251).

- (1) Availability. The primary power rate shall be available to large-use lighting, power and general purposes under the following conditions:

- (a) Service under this rate shall be available at nominal voltage of 4,160 volts or higher, four-wire, three-phase and shall be metered at such a voltage.
- (b) All facilities specifically required to deliver power to user equipment shall be furnished, installed, owned and maintained by the customer and approved by the Borough.
- (c) New customers on this rate must install a primary point of contact protection device as approved by the Borough that is properly coordinated with the Borough's electric delivery system.
- (d) Metering equipment shall be provided by the Borough to measure the active and reactive components of the energy furnished and the demand or maximum rate of energy use.
- (e) For this rate, the Billing Demand shall be defined as the highest averaged metered rate of use of electric energy for any fifteen-minute interval occurring in the billing period expressed in whole kilowatts, multiplied by 0.90, and divided by the average billing period power factor. The average billing period power factor is determined from standard tables based upon the active and reactive components of the energy furnished by the meter.

- (2) Rates. The following rates shall be charged for electric energy furnished under the primary power rate:

- (a) Customer charge: \$150 net per meter, per billing period.
- (b) Demand charge (259): \$9.00 net per kilowatt billing demand, per billing period.
The billing demand shall not be less for any billing period than 50% of the highest billing period demand established during the previous 11 billing periods.
- (c) Energy charge: \$0.06220 net per kilowatt-hour, per billing period.
- (d) Power supply adjustment charge in accordance with § 135-16 of this article.

E. Area lighting rate -- Borough-owned (260 - 270).

- (1) Availability. The area lighting rate shall be available for private area lighting service from the existing overhead system of the Borough.

- (2) Charges under this rate.

- (a) High-pressure sodium -- standard:

Watts	Net per Fixture per Billing Period
100	\$7.26
250	\$12.76
400	\$19.80
1,000	\$29.32

- (b) Mercury vapor:

Watts	Net per Fixture per Billing Period
175	\$6.16
250	\$9.90
400	\$12.49
1,000	\$25.19

- (c) High-Pressure sodium -- flood:

Watts	Net per Fixture per Billing Period
100	\$9.35
250	\$21.84
400	\$25.96

- (3) The Borough will provide lamp, photoelectric relay control equipment, luminaire, and upsweep arm not over six feet in length and will mount the same on an existing pole carrying secondary circuits or on some other surface deemed acceptable by the Borough. When facilities in addition to those listed above are required to provide area lighting, the customer will pay in advance the cost of installing all such facilities.
- (4) Terms of contract. Service is sold for area lighting under contract to take continuous service under this rate for a minimum period of three years; provided, however, the

- Borough may discontinue this service at any time in the event the light is deemed by the Borough to constitute a nuisance to adjoining properties.
- (5) Rules and regulations applying to this service.
 - (a) All facilities necessary for rendering this service shall be owned and maintained by the Borough. Maintenance shall be performed at such time as regular (not overtime) work schedule permits.
 - (b) Burning hours shall be from approximately dusk to dawn each night aggregating about 4,000 hours per year. Subject to the approval of the Borough, customers may select the location of all poles installed on the customer's property under provisions of this rate ordinance, and poles will be moved after installation on advance payment by the customer of the cost of moving. All pole locations shall conform to safety standards governing such installations. Customers shall be responsible for all damages to, or loss of, the Borough property located on the customer's premises.
 - (6) Notwithstanding the three-year contract terms, the Borough may by ordinance change at any time the level of rates to be charged for area lights already in place.

F. Area lighting rate -- customer-installed (272 - 277).

- (1) Availability. The customer-installed area lighting rate shall be available from existing underground or overhead electrical distribution system when installed in accordance with Borough Electric Department standards.
- (2) Charges under this rate. Charges apply to approved pole-mounted and post-mounted luminaires and area floodlights.
 - (a) High-pressure sodium, mercury vapor, or metal halide:

Watts	Net per Fixture per Billing Period
100	\$4.73
150	\$6.00
175	\$6.16
250	\$7.65
400	\$10.62
1,000	\$20.63

- (3) Installation. The customer will provide and install at the customer's expense the complete luminaire, lamps, photoelectric control, wire and post and/or bracket(s) in accordance with the Borough's material and installation specifications. Borough Electric personnel will connect customer-installed power feed wires to unmetered source of electricity, at no expense to customer.
- (4) Maintenance. The Borough will supply electricity to operate luminaries. Following initial successful operation Borough will supply normal re-lamping, normal photoelectric control replacement, replacement of lens, miscellaneous hardware, and repair of exposed conduit on electric supply pole at Borough expense during regular business hours. All other maintenance expenses not listed as Borough

expense shall be customer's responsibility, such as filling of settled trenches and pole plumbing, etc.

- (5) Replacement. If luminaire, pole, underground conduit, or electric supply wire require replacement either through damage or normal life expectancy, such replacement shall be at the customer's expense, either by customer-hired contractor, or by Borough personnel; whichever is preferable to customer at time of replacement. Whether a customer elects to replace units using his contractor or Borough personnel, the customer shall be responsible for collecting any insurance reimbursement which he may be due.
- (6) Terms of contract.
 - (a) Services sold under this contract are to take continuous service for a period of two years; provided, however, the Borough may discontinue this service at any time in the event the light is deemed by the Borough to constitute a nuisance to adjoining properties. Upon discontinuance of service, it shall be the customer's responsibility to do with the luminaire as he so chooses.
 - (b) Notwithstanding the two-year contract terms, the Borough may, by ordinance, change at any time the level of rates to be charged for area lighting already in place.
- (7) Ownership. This installation remains the property of the customer, and the customer assumes all liabilities arising from installations covered by this contract.

G. Special rates. The Borough may enter into agreement to furnish electric power to users with unique needs and characteristics, such as high voltage or primary voltage not described in existing rate schedules and at mutually agreed to conditions and rates.

H. Net metering rider for renewable inverter-based customer generators of 10 kilowatts or less.

- (1) Purpose. This rider sets forth the eligibility, terms, and conditions applicable to Borough of Chambersburg (Borough) electric customers with installed customer-owned qualifying renewable energy generation ("QREG") as defined below, using inverter technology and a net metering system which will be interconnected to and operated in parallel with the Borough's electric system.
- (2) Applicability.
 - (a) This rider applies to customers served under all qualifying rate schedules available to Borough electric customers who install a device or devices which, in the Borough's sole judgment:
 - [1] Are a bona fide technology for use in generating single-phase electricity from qualifying solar, wind, or other alternative energy sources;
 - [2] Have a nameplate capacity of not greater than 10 kilowatts;
 - [3] Make use of approved inverter technology for the generation of electricity;
 - [4] Will be operated in parallel with the Borough's electric system;
 - [5] Will generate electricity to offset part of, all of, or more than the customer's requirements for electricity as measured by a net metering system; and
 - [6] Otherwise meet the requirements of this rider.

- (b) A customer qualifying under this rider is a nonutility owner or operator of a net metered generation system, except for those meters, if any, to which the Borough retains ownership.
- (c) Service under this rider is available upon request to Borough customers on a first-come, first-served basis as long as the total rated generating capacity installed by QREG customers or the location of the QREG facility does not:
 - [1] Adversely impact quality or cost of Borough service to other Borough customers.
 - [2] Compromise the reliability and safety of the Borough's electric distribution system.
 - [3] Represent a hazard to people, property or equipment.
 - [4] Compromise the safety of the Borough Electric Department personnel, emergency services personnel, or the general public.
- (3) Metering provisions.
 - (a) The Borough will employ the following net metering configurations for QREG facilities, in conjunction with service under the applicable rate schedule.
 - [1] A bi-directional, revenue quality interval meter will be installed to measure the net amount of electricity provided to the customer by the Borough (the billing meter).
 - [2] At the Borough's sole discretion, a second interval meter will be installed to measure and monitor the electricity produced by the QREG facility.
 - (b) If the customer's existing electric meter does not meet the requirement(s), the Borough shall, after final installation of the QREG, but before the QREG becomes operational, install the net meter(s) for the customer's QREG at the Borough's expense. The meter(s) shall remain the property of the Borough, and the customers shall have no interest in or rights with respect to such meter(s). Any other metering equipment change necessitated by the customer's QREG shall be paid for by the customer.
 - (c) To assure system reliability and safety, all interconnections will be subject to the "Technical Requirements Covering Renewable Inverter-Based Customer Generators of 10 Kilowatts or Less and Interconnected with the Borough of Chambersburg Electric System" (technical requirements). For QREG inverter-based technology which has been certified compliant by the manufacturer with Institute of Electrical and Electronic Engineers (IEEE) 929, Underwriters Laboratory (UL) 1741 (or subsequent approved revisions thereof), the technology will be deemed to be in compliance with the required Borough technical requirements. However, such preliminary technical compliance does not limit, eliminate or affect in any way the customer's obligation to comply with all other requirements of this rider.
 - (d) All QREG facilities shall be capable of being isolated from the Borough's electrical system by means of an outdoor, weatherproof, lockable, visible-break, alternating current (AC) isolation device [customer-owned generation disconnect switch(es)] accessible by the Borough, emergency services personnel, the QREG customer, and located adjacent to the Borough's electric meter(s).

- (e) All QREG facilities must prominently display the Borough-supplied warning labels on the meter base(s), customer-owned generation disconnect switch(es), and associated Borough transformer. Failure to do so shall constitute grounds for the refusal or termination of service under this rider.
 - (f) The Borough reserves the right to inspect all QREG facilities upon reasonable notice given to the customer.
- (4) Billing provisions. The following billing provisions apply to QREG customers in conjunction with service under the applicable rate schedules.
- (a) QREG customer net purchase of electricity: If, at the end of the billing month, the QREG customer has consumed more kilowatt-hours of electricity than the customer's QREG facility has produced, then all applicable charges of the appropriate rate schedule shall be applied to the net kilowatt-hours of Borough-supplied electricity the QREG customer has consumed.
 - (b) QREG customer net sale of electricity: If at the end of the billing month, the QREG facility has produced more kilowatt-hours of electricity than the QREG customer has consumed, then the QREG customer will receive a credit for each net excess kilowatt-hour received by the Borough from the QREG customer at the QREG power rate. The QREG power rate will be determined by the Borough using one of the standard avoided cost methodologies and may be updated from time to time. The QREG customer is, in all cases, responsible for the customer charge and other charges in the applicable rate schedule.
 - (c) QREG customer net sale of electricity resulting in fifty-percent reduction in electricity purchases: If, in any calendar year, a QREG customer receiving service under this rider self-generates electricity equal to 50% or more of the QREG customer's total purchase of electricity through the Borough's transmission and distribution network for the calendar year immediately prior to the installation of the QREG facility, then the Borough reserves the right to begin to bill the QREG customer a surcharge equal to its pro rata share of standard delivery costs (SDC surcharge). The SDC surcharge, if applied, is intended to prevent inter-class or intra-class shifting of the delivery cost to other Borough customers, in order to prevent other Borough customers from being required, in effect, to subsidize service to QREG customers. The Borough, upon specific determination that a QREG customer has or will exceed its fifty-percent electricity reduction limitation, may at its sole option, and at any time notify the QREG customer of the Borough's intent to apply the SDC surcharge to the QREG customer's billing period bill. When deemed necessary or appropriate by the Borough, the Borough will assess the applicability of any imposed SDC surcharge. In the event the Borough determines the SDC surcharge to be no longer applicable, the Borough will discontinue billing the same to the QREG customer.
- (5) Application. Borough customers seeking to receive service under the provisions of this rider must submit the net metering interconnection application/agreement qualifying renewable energy generator (certified inverter-based units of 10 kilowatts or less) demonstrating compliance with the technical requirements and quantifying the total generating capacity of the proposed facility. Form(s) are available at the Borough offices during normal business hours and are available on the Borough's

website. Once a fully completed application/agreement and all required supporting technical information is provided to the Borough, the Borough will review the application/agreement and endeavor to provide the applicant notice within 90 days of approval or denial of the applicant's request to install a QREG facility and to connect to the Borough's electricity distribution system promptly. The Borough reserves the right to deny applications that do not comply with all requirements of this rider.

- (6) Customer charge. The customer charge under the applicable rate schedules applies to all QREG facilities under this rider.
- (7) Application fee. The application fee for service under this rider shall be \$200, subject to change by resolution of Council.
- (8) Ordinances.
 - (a) Bills rendered by the Borough under this rider shall be subject to the charges stated in any other applicable Borough ordinance.
 - (b) The Borough reserves the right, in its sole discretion, on appropriate public notice, to change the rates, terms and conditions of this rider.

I. High-Voltage Service, Schedule HV (252, 291).

- (1) Availability.
 - (a) Throughout the Borough's service area to customers located along or near transmission lines of adequate capacity, in accordance with the Borough's Service Rules and Regulations, and at the discretion of the Borough, may be subject to the execution of a written agreement for electric service between the Borough and the customer.
 - (b) The HV rate shall be established in keeping with existing power purchase agreements in effect as of the adoption of this Subsection. From time to time the Borough, at its sole discretion, may further review, analyze, and further adjust the HV rate accordingly. However, nothing herein shall prevent or restrict the Borough from exercising its rights to administer the PSA-HV according to the terms of the PSA-HV formula in this chapter.
 - (c) To be eligible for this Schedule HV, a customer must have the following load characteristics:
 - [1] Have a peak electrical load of at least 1,000 kW; and
 - [2] Possess an average billing period load factor of at least 65%; and/or
 - [3] Possess electrical load characteristics that, through active management, scheduling, and operations, can reduce the overall power supply costs to the Borough.
 - (d) Eligible customers shall have metering equipment installed by the Borough that measures and records the active and reactive components of the electrical usage on an hourly basis (interval metering). At the Borough's discretion, the metering point may differ from that of the electric service point of contact. Metering compensation will be added as appropriate. Customers shall be responsible to provide and install any cabinet(s), meter bases, and other associated apparatus, approved by the Borough, to accept instrument transformers and metering equipment to be provided and installed by the

Borough. Customers who wish to have the Borough install all metering equipment and cabinets may request the metering equipment from the Borough. Upon such request, the Borough shall provide the customer with an estimate of the cost of the metering equipment. Upon approval by the customer, the Borough will install such metering equipment and bill the customer for the cost of installation. At the Borough's option, the cost of the metering and installation may be billed to the customer in 12 equal billing period payments. At the Borough's discretion, it may be determined that metering is best done by pole-mounted equipment; in this instance, the Borough will provide and install all equipment and the customer will be billed for only the meter base.

- (e) All facilities specifically required to deliver power to user equipment shall be furnished, installed, owned and maintained by the customer and approved by the Department.
 - (f) The customer shall not use the electric power and energy furnished hereunder as an auxiliary or supplement to any other source of purchased power and shall not sell electric power and energy purchased hereunder.
 - (g) The customer shall be bound by the Borough's Rules for Electric Meters and Services as may from time to time be adopted or changed by the Borough.
- (2) Type of service.
- (a) Service shall be provided normally as three-phase, alternating current, 60 hertz at nominal standard 69,000 volts phase-to-phase, as delivered to the Borough. Upon advance notice and the Borough providing permission to the customer, an alternative level of service may be provided at 12,470 volts.
 - (b) The Borough shall not be liable for damages to the customer occasioned by reductions, curtailments or interruptions of service or for failure to commence delivery as a result of "force majeure."
 - (c) Power shall be used by the customer in such manner as will not cause objectionable voltage fluctuations or other electrical disturbances on the transmission system or on the Borough's system. The Borough may require the customer, at the customer's expense, to install such corrective measures as will reasonably limit such fluctuations and disturbances.
- (3) Determination of demands (299).
- (a) For the billing periods of June through May, the billing demand - generation shall be the customer's average sixty-minute kW demand coincident with the PJM RTO five summer peak-hour demands generally established during the previous summer. The average metered demand shall be multiplied by 0.90 and divided by the average metered power factor during the billing period(s) of the peak-hour demands.
 - (b) For the billing periods of January through December, the billing demand - transmission shall be the customer's sixty-minute kW demand coincident with the PJM zonal one-hour annual peak demand established during the previous calendar year. The metered demand shall be multiplied by 0.90 and divided by the average metered power factor during the billing period in which the peak hour occurred.

- (4) Rate (per billing period). The following rates shall be charged for electric energy under the high voltage service rate:
- (a) Customer charge: \$400 per meter, per billing period.
 - (b) Demand charge – Generation: The demand charge, per kW of associated billing demand, shall be effective starting the billing period of June of each year and shall be established as the \$/kW-month demand charge applicable to the Borough and as determined by the PJM Reliability Pricing Model auction process.
 - (c) Demand charge – Transmission: The demand charge, per kW of associated billing demand, shall be effective starting the billing period of January of each year and shall be established as the \$/kW-month demand charge applicable to the Borough for Network Integrated Transmission Service per the PJM Open Access Transmission Tariff.
 - (d) Energy charge: The energy charge shall be either the Flat or Time-of-Day option, with such option determined by mutual agreement of the Borough and customer.
 - (i) Flat: All kilowatt-hours per billing period per kilowatt-hour. \$0.05755
 - (ii) Time-of-Day: All kilowatt-hours shall be categorized into one of the following three time-of-day energy periods. “On-peak” hours are all On-peak hours as defined by NERC, except for hours ending at 22:00 and 23:00. “Shoulder” hours are the hours ending at 22:00 and 23:00 of the On-peak hours as defined by NERC. “Off-peak” hours are as defined by NERC.

On-peak, per kWh	\$0.06431/kWh
Shoulder, per kWh	\$0.05612/kWh
Off-peak, per kWh	\$0.05247/kWh
 - (e) Ancillary service Charge: All kilowatt-hours per billing period per kilowatt-hour. \$0.00151
- (5) Minimum billing period charge. The minimum billing period charge shall be the greater of:
- (a) The sum of the billing period charges.
 - (b) The contract minimum.
- (6) Power supply adjustment. The above rates shall be increased or decreased by the provisions of the power supply adjustment charge in accordance with § **135-16B**, PSA-HV, as may be amended from time to time.
- (7) Terms of payment.
- (a) The above rates are net. Bill is due upon receipt and payable in accordance with § **135-18**. Payments received after the due date shall be assessed a late payment penalty of 2.5%.
 - (b) Effective for bills rendered on or after November 1, 2014.
- (8) Ordinances.
- (a) Bills rendered by the Borough under this rate shall be subject to the charges stated in any other applicable Borough ordinance.
 - (b) The Borough reserves the right, in its sole discretion, on appropriate public notice, to change the above rates, terms and conditions.

§ 135-16. Power supply adjustment (PSA).

A. Standard power supply adjustment (PSA).

- (1) Each rate as indicated in this chapter is subject to a power supply adjustment (PSA).
- (2) The PSA is an amount per kilowatt-hour to be added to or subtracted from customers' billing each billing period so that increases or decreases in costs of purchased power, fuel, lube oil, other costs of generated power, and other costs deemed appropriate by the Borough, will be collected or credited.
- (3) The PSA charge or credit shall be used for each month of a twelve-month forecasted period unless a "relevelization" is required and implemented by the Borough, at its sole discretion. A relevelization may be required if:
 - (a) The Borough's wholesale supply of purchased power has a rate change that goes into effect during the period;
 - (b) The actual recovery of PSA costs is not in the range of 3% (plus or minus) of the total twelve-month forecasted amount; or
 - (c) A PSA forecast revision is required, in the sole discretion of the Borough, due to unforeseen or changed circumstances such as increases (or decreases) in cost (s) of fuel, lube oil, other expenses of generated power, purchased power, other expenses deemed appropriate by the Borough, material increases or decreases in the number of customers, or if a material error in computing the PSA forecast is discovered.
- (4) The Borough will monitor the PSA collection of revenues on a billing period basis.
- (5) At the end of the forecasted twelve-month period, or a shorter period if a relevelization is required, the Borough may, at its discretion, incorporate any over-collection or under-collection of power supply costs in the projected power supply costs for the new forecasted twelve-month period.
- (6) Calculation. The PSA, stated to the nearest \$0.00001 per kilowatt-hour, will be determined by utilizing the following formula:

$$PSA = \left(\frac{PP + G - DA}{S - SDA} \right) + \frac{DC}{S} - \text{Base}$$

Definitions:

PP = The total forecasted costs of purchased power for the PSA forecast year. (Purchased Power)

G = The total forecasted fuel, lube oil and other costs of generated power for the PSA forecast year. (Generation)

DA = The total net directly allocated costs resulting from programs or retail rate riders implemented by the Borough that directly assign power supply costs to individual customers or programs. (Direct Assignment)

DC = Additional discretionary costs or programs deemed appropriate by the Borough. (Discretionary Costs)

S = Forecasted retail kilowatt-hours sold. (Sold)

SDA = Forecasted retail kilowatt-hours sold to participants in programs or retail rate riders implemented by the Borough that directly assign power supply costs to individual customers or programs. (Sales Direct Assignment)

Base = The total purchased power expense per kilowatt-hour included in the current retail base rates. (Base = \$0.0594.)

B. Power supply adjustment — high-voltage (PSA-HV).

- (1) Each rate for high-voltage electric service is subject to the power supply adjustment - high-voltage (PSA-HV).
- (2) The power supply adjustment — high-voltage service (PSA-HV) is an amount per kilowatt-hour to be added to or subtracted from customers' billing each billing period so that increases or decreases in costs of purchased power and other costs deemed appropriate by the Borough will be collected or credited.
- (3) The PSA-HV charge or credit shall be used for each month of a twelve-month forecasted period unless a "relevelization" is required and implemented by the Borough at its sole discretion. A relevelization may be required if:
 - (a) There is a wholesale supplier of purchased power change or any of the Borough's wholesale suppliers has a rate change that goes into effect during the period; or
 - (b) The actual recovery of PSA-HV costs is not in the range of 3% (plus or minus) of the total twelve-month forecasted amount; or
 - (c) A PSA-HV forecast revision is required, in the sole discretion of the Borough, due to unforeseen or changed circumstances such as increases in the costs of purchased power and other expenses deemed appropriate by the Borough, or if a material error in computing the PSA-HV forecast is discovered.
- (4) The Borough will monitor the PSA-HV collection of revenues on a billing period basis. At the end of the forecasted twelve-month period, or a shorter period if a relevelization is required, the Borough may, at its discretion, incorporate any over-collection or under-collection of power supply costs in the projected power supply costs for the new forecasted twelve-month period.
- (5) Calculation. The PSA-HV stated to the nearest \$0.00001 per kWh will be determined by utilizing the following formula:

$$PSA-HV = \left(\left[\frac{(PP + DC)}{P} \right] - Base \right) \div (1 - L)$$

Definitions:

PSA — HV = The Power Supply Adjustment — High-voltage Service (PSA-HV)

PP = The total calculated forecasted expense of power supply costs for the PSA-HV forecast year, less revenue collected under generation and transmission charges for the high-voltage rate schedules.

DC = Additional discretionary costs deemed appropriate by the Borough. (Discretionary Costs)

P = Forecasted kWh purchased to supply customers served under the high-voltage rate schedules.

Base = The total calculated expense for power supply cost, less revenue collected under generation and transmission charges for high-voltage rate schedules per kWh included in the current retail base rates. Base = \$0.0428/kWh purchased.

L = Line losses applicable to sales under Rate "HV". L = 0.5%.

§ 135-17. Terms of payment for residential services.

Bills will be rendered for electric service to residential premises in accordance with the Residential Utility Services Manual as may be revised from time to time by the Mayor and Town Council and shall be available to the public at the Utility Offices at Borough Hall, Utilities Service Center at 80 South Franklin Street, and online at www.chambersburgpa.gov under the Documents section.

§ 135-18. Terms of payment for nonresidential services.

A. Bills for electric service will be issued at intervals of approximately 30 days and charges shall be payable at the Borough offices on a net basis to and including the due date shown on the bill rendered. Thereafter the gross bill shall become due and payable. Failure to receive a bill shall not entitle a user to an extension of time for payment. Any user whose account for utility service is in arrears shall pay the gross amount of each bill until all outstanding indebtedness is paid.

B. Failure to pay all charges within 14 days after the gross bill becomes due shall be cause for termination of electric service until payment is made of all outstanding charges for utility service. If service is terminated under these conditions a reconnection charge to be established by resolution of Town Council shall be paid before service is restored. If an employee of the Borough visits the user's premises to deliver a notice, collect the amount due, and/or terminate the service, a service charge to be established by resolution of Town Council shall be assessed for each visit.

C. Each user shall pay for electric service furnished to his premises until proper notice has been given to the Borough to discontinue service and for a reasonable time thereafter to enable the Borough to read its meter at the premises. When service is discontinued at any user's premises, a bill for service will be rendered promptly and shall be payable on a net basis to and including the due date shown on the bill rendered and on a gross basis thereafter.

§ 135-19. Regulations under which electricity will be furnished.

Rules and regulations under which electric service shall be rendered to customers shall be approved by resolution from time to time by the Mayor and Town Council of the Borough of Chambersburg and shall be available to the public at the Utility Offices at Borough Hall and at the Utilities Service Center, 80 South Franklin Street.

§ 135-20. Penalty.

The penalty added after the due date will be 2.5%.

§ 135-21. Effective date.

The rates established by this article shall become effective with all electric service bills rendered on or after November 1, 2014.

§ 135-22. Short title.

This article may be cited as the "Borough of Chambersburg Electric Rate Ordinance of 2014."

§ 135-23. Aggregation of Retail Customer Demand Response.

A. The Borough of Chambersburg or its authorized designee is the sole entity permitted to bid demand response on behalf of retail customers served by the Borough of Chambersburg directly into any Commission-approved independent system operator's or regional transmission organization's organized electric markets. Any other demand response aggregation of retail customers is prohibited. Retail customers served by the Borough of Chambersburg may not bid their demand response into any Commission-approved independent system operator's or regional transmission organization's organized electric markets except as part of a program provided by the Borough of Chambersburg or its authorized designee. The Borough of Chambersburg is not required to have a retail demand response aggregation program.

B. Retail customers served by the Borough of Chambersburg wishing to bid their demand response into a Commission-approved independent system operator's or regional transmission organization's organized electric markets may do so only by participating in a program established by the Borough of Chambersburg or its authorized designee.

§ 135-24. Ancillary Services Provided by Demand Response Resources.

A. The Borough of Chambersburg or its authorized designee is the sole entity permitted to bid demand response on behalf of retail customers served by Borough of Chambersburg directly into any Commission-approved independent system operator's or regional transmission organization's organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator's or regional transmission organization's tariff). Retail customers served by the Borough of Chambersburg may not bid demand response into any Commission-approved independent system operator's or regional transmission organization's organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator's or regional transmission organization's tariff).

except as part of a program provided by the Borough of Chambersburg or its authorized designee.

B. Retail customers served by the Borough of Chambersburg wishing to bid their demand response into a Commission-approved independent system operator's or regional transmission organization's organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator's or regional transmission organization's tariff) may only do so by participating in a program, if any, established by the Borough of Chambersburg or its authorized designee.

§ 135-25. Continuity of Service.

A. The Borough uses reasonable diligence to preserve continuity of service, but in the event of any interruption, curtailment or reduction of service, the Borough shall not be subject to any liability, penalty or payment for or on account of any such interruption or curtailment nor shall the application of the rate schedule to the regular billing period be affected.

B. The Borough may temporarily suspend service for the purpose of making necessary repairs and makes every reasonable effort to notify customers in advance, except in cases of emergency.

§ 135-26. Prohibition of Other Electric Generation Suppliers.

In accordance with the provisions of the Electricity Generation Customer Choice and Competition Act (Act of December 3, 1996, P.L. 802, No. 138, 66 Pa.C.S. § 2805(b)(1)(i)), the Borough hereby prohibits Electric Generation Suppliers from providing electric service to end-use customers within the Borough's limits.

SECTION 2 REPEALER:

Repealer Clause. All provisions of previous Ordinances or any part thereof of the Borough of Chambersburg which are contrary to this Ordinance are expressly repealed.

SECTION 3 SAVINGS CLAUSE: In all other respects, the Code of the Borough of Chambersburg shall remain as previously enacted and ordained.

SECTION 4 SEVERABILITY:

The provisions of this Ordinance are severable and if any of its sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such provision shall not affect or impair any other sections, clauses or sentences of the same.

SECTION 5 EFFECTIVE DATE:

Effective Date. This Ordinance Amendment shall take effect on all utility bills issued after November 1, 2014.

Enacted by the Mayor and Town Council of the Borough of Chambersburg this 8th day of September, 2014.

ATTEST:

President of Town Council

Secretary of Town Council

APPROVED this 8th day of September 2014.

Mayor